IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 7th day of October, 2005
Bail application no. 668 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Surjeet Kumar @ Santosh
S/o Sarju Rai @ Saryug Yadav
P.S. Gaurichal
District Patana (Bihar)
At present Village Sabbalpur
P.S. Didargang
District Patana (Bihar) ……Applicant

Versus

State of Uttaranchal ...Opposite Party

Arising out of Case Crime No. 5480 of 2005
Under Sections 420, 467, 468, 471 I.P.C.
P.S. Haldwani
District Nainital

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime No. 5480 of 2005 under Sections 420, 467, 468, 471 I.P.C., P.S. Haldwani, District Nainital.

Heard Smt. Pushpa Joshi, learned counsel for the applicant, learned A.G.A. and perused the record.

The order sheet shows that learned A.G.A. had been given several opportunities for producing the report of the handwriting expert, pertaining to the hand writing of the applicant – Surjeet Kumar @ Santosh, but learned A.G.A. has failed in placing the same before me as yet.

In this case the other co-accused have been granted bail. The applicant cannot be detained in jail for indefinite period, specially, of the latches on the part of the prosecution.

Keeping in view the special circumstances of the case, I direct that the applicant should be released on bail.

Let the applicant Surjeet Kumar @ Santosh be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

07.10.2005
ASWAL